

Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

October 26, 2020

By ECF

Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Larry Farmer*, 19 Cr. 427 (LTS)

Dear Judge Swain:

I write on consent (Assistant U.S. Attorney Brett Kalikow) to respectfully request that the Court extend Mr. Farmer's surrender date – which is currently November 12, 2020 – by 60 days in light of the COVID-19 pandemic and Mr. Farmer's responsibilities at work, which will last through the end of this year. On March 12, 2020, the Court sentenced Mr. Farmer to a term of 60 months' imprisonment, and set an initial surrender date of May 14, 2020, which has been adjourned three times due to the pandemic.

We are seeking another adjournment for two reasons: first, Mr. Farmer has very significant work responsibilities through December, and allowing him to complete his work will make his eventual reentry into the community significantly easier. Mr. Farmer has worked at the same job site for over nine months, involving the construction of a large commercial building in Queens. Mr. Farmer was promoted to foreman, and now serves as the field superintendent for the afternoon shift, which makes him responsible for over 60 laborers. Mr. Farmer has also been designated the "competent person" by the general contractor, which is the person "capable of identifying existing predictable hazards in the surroundings or conditions that are unsanitary, hazardous or dangerous, and who has authorization to take prompt corrective measures to eliminate such hazards." *See* letter of Ronald Figliolia dated August 3, 2020, attached as Exhibit A.

By working through December, Mr. Farmer expects to receive bonuses at Thanksgiving and Christmas, which will help his family financially while Mr. Farmer is incarcerated. More importantly, by leaving on good terms when the job is completed – and it is on schedule – Mr. Farmer will vastly increase his employability upon his release, as he

Honorable Laura Taylor Swain
October 26, 2020

Page 2

Re: *United States v. Larry Farmer*, 19 Cr. 427 (LTS)

will have employers who will want to hire him back, as well as good references. Secondly, the Government has pointed out that Mr. Farmer's body mass index makes him more vulnerable to COVID, which is still rampant in the federal prison system.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Martin S. Cohen
Ass't Federal Defender
(212) 417-8737

Cc: Brett Kalikow, Esq., by ECF

The request is granted. The surrender date is extended to January 14, 2021.

DE# 41 resolved.

SO ORDERED.

10/27/2020

/s/ Laura Taylor Swain, USDJ

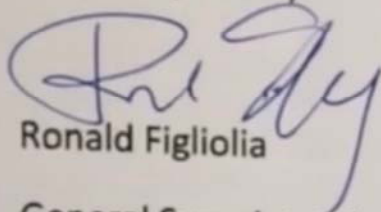
Exhibit A

Department of Buildings

Attn: Licensing & Exam unit

As per NYC Building Code 3302.1 (COMPETENT PERSON: One who is capable of identifying predictable hazards in surroundings or conditions that are unsanitary, hazardous or dangerous, and has the authorization to take prompt corrective measures to eliminate such hazards.)
I, Ronald Figliolia, General Superintendent of 4805 Metropolitan Avenue (entity G Builders II LLC – DOB 01/15/2019) designate Larry Farmer as the competent person for 4805 Metropolitan Avenue Construction.

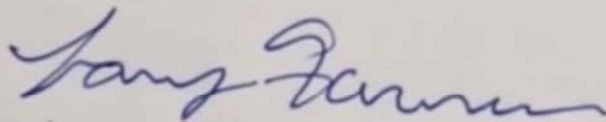
Very Truly Yours,



Ronald Figliolia

General Superintendent

Larry Farmer



Field Superintendent